EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Jackson on June 4, 2010.

This application is in condition for allowance except for the presence of claims 7, 13, 14, and 15 directed to a coil of labels. Accordingly, claims 7, 13, 14, and 15 are cancelled without prejudice and intent to file a divisional application.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

3. The closest prior art is taught by Boreali (US 5,573,621) in view of Jeffries (US 3,880,692).

Boreali teaches a method of separating linerless, adhesive labels on a single layer label matrix web (17), where labels (11), with an adhesive surface (14) and an opposing release surface (13), are disposed at spaced intervals. The label boundaries are defined in the web by lines of cutting passing through the web, leaving the defined label connected to the remainder of the web by catch points (12). To remove the labels, the web is fed around a guide member (22), without damaging the label and such that the adhesive surface of the label does not face the guide. The leading edge of each label protrudes out of the plane of the web and this protruding edge forms a means

whereby the remainder of the label can be extracted from the web by breaking the catch points (column 3, column 4, lines 12-24; Figures 4 and 5). On a side note, multiple catch points may be provided around each label, depending on the configuration, so all catch points will not be broken until the label is fully removed from the web (column 3, lines 53-61).

Furthermore, claim 1 discloses using an applicator of "the same function and operation as the conventional beak of conventional application machinery" (lines 5 and 6). Thus, as stated above, it would have been obvious to have the adhesive surfaces of the labels on a single web contact and adhere to the product, to avoid extra costs of a separate backing material.

Jeffries further teaches providing many types of label webs for application, especially a label web (60) having a web remnant (61) which extends around labels (L), where the labels are supported within the web by "nicks" (i.e. catch points), to prevent use of a backing which would be extra waste material (column 5, line 61 – column 6, line 15; Figure 6); the labels (22) are then applied directly onto target products (T) (column 4, lines 23-30; Figures 2 and 5).

However, the prior art does not teach a method of applying self-adhesive labels directly onto products by removing the labels in a single layer web fed around a guide, causing a leading edge to protrude from the plane of the web.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SONYA MAZUMDAR whose telephone number is (571)272-6019. The examiner can normally be reached on 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip Tucker can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SM

/Philip C Tucker/
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